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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

Application Number	10/049,968
Filing Date	February 13, 2002
First Named Inventor	Wieland
Art Unit	1651
Examiner Name	Hanley, Susan Marie
Attorney Docket Number	38891.00100US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Milbank, Tweed, Hadley & McCloy LLP		
Signature			
Printed name	Einar Stole		
Date	November 13, 2008	Reg. No.	47,272

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
WIELAND, <i>et al.</i>	)	Group Art Unit: 1651
	)	
US Application Serial No. 10/049,968	)	Examiner: Hanley, Susan Marie
	)	
Filed: February 13, 2002	)	
	)	
For: <i>Substances and Agents for Positively</i>	)	
<i>Influencing Collagen</i>	)	

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

**Mail Stop Amendment**  
Commissioner of Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the Notice of Non-Compliant Amendment under 37 CFR 1.121 dated October 16, 2008, Applicants submit the following response that begins on page 2 of this paper. Applicants note the claims submitted herewith are identical to the claims submitted on June 23, 2008. Specifically, applicants have reinserted the text from claim 54 which was inadvertently omitted and have made further amendments which were discussed with the Examiner on May 9, 2008.

Entry of the Response is respectfully requested. Applicants further respectfully request reconsideration and withdrawal of the outstanding rejections.

**A Listing of the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.